



DEPARTMENT OF THE AIR FORCE  
59TH MEDICAL WING (AETC)  
JOINT BASE SAN ANTONIO - LACKLAND TEXAS

4 JAN 2017

MEMORANDUM FOR 959 CSPS

ATTN: CAPT DOUG CHO

FROM: 59 MDW/SGVU

SUBJECT: Professional Presentation Approval

1. Your paper, entitled State and Federal Appellant Cases for Vasectomy: Case Review from 1995-2016 presented at/published to Society of Government Service Urologist, California, 11-15 Jan 2017 in accordance with MDWI 41-108, has been approved and assigned local file #17023.
2. Pertinent biographic information (name of author(s), title, etc.) has been entered into our computer file. Please advise us (by phone or mail) that your presentation was given. At that time, we will need the date (month, day and year) along with the location of your presentation. It is important to update this information so that we can provide quality support for you, your department, and the Medical Center commander. This information is used to document the scholarly activities of our professional staff and students, which is an essential component of Wilford Hall Ambulatory Surgical Center (WHASC) internship and residency programs.
3. Please know that if you are a Graduate Health Sciences Education student and your department has told you they cannot fund your publication, the 59th Clinical Research Division may pay for your basic journal publishing charges (to include costs for tables and black and white photos). We cannot pay for reprints. If you are 59 MDW staff member, we can forward your request for funds to the designated wing POC.
4. Congratulations, and thank you for your efforts and time. Your contributions are vital to the medical mission. We look forward to assisting you in your future publication/presentation efforts.

LINDA STEEL-GOODWIN, Col, USAF, BSC  
Director, Clinical Investigations & Research Support

## PROCESSING OF PROFESSIONAL MEDICAL RESEARCH/TECHNICAL PUBLICATIONS/PRESENTATIONS

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2. Print your name, rank/grade, sign and date the form in the author's signature block or use an electronic signature.
3. Attach a copy of the 59 MDW IRB or IACUC approval letter for the research related study. If this is a technical publication/presentation, state the type (e.g. case report, QA/QI study, program evaluation study, informational report/briefing, etc.) in the "Protocol Title" box.
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**NOTE:** All abstracts, papers, posters, etc., should contain the following disclaimer statement:

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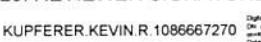
**"The experiments reported herein were conducted according to the principles set forth in the National Institute of Health Publication No. 80-23, Guide for the Care and Use of Laboratory Animals and the Animal Welfare Act of 1966, as amended."**

**PROCESSING OF PROFESSIONAL MEDICAL RESEARCH/TECHNICAL PUBLICATIONS/PRESENTATIONS**

1. TO: CLINICAL RESEARCH	2. FROM: (Author's Name, Rank, Grade, Office Symbol)	3. GME/GHSE STUDENT:	4. PROTOCOL NUMBER:
	Doug Cho, Capt, O-3, 45U1	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	N/A
5. PROTOCOL TITLE: ( <b>NOTE:</b> For each new release of medical research or technical information as a publication/presentation, a new 59 MDW Form 3039 must be submitted for review and approval.) N/A			
6. TITLE OF MATERIAL TO BE PUBLISHED OR PRESENTED: State and Federal Appellant Cases for Vasectomy: Case Review from 1995-2016			
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15. AUTHORSHIP AND CO-AUTHOR(S) List in the order they will appear in the manuscript.			
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16. AUTHOR'S PRINTED NAME, RANK, GRADE Doug Cho, Capt, O-3		17. AUTHOR'S SIGNATURE CHO.DOU.G.SUH.1170785513	18. DATE December 13, 2016
19. APPROVING AUTHORITY'S PRINTED NAME, RANK, TITLE Timothy Phillips, Col, O-6, Urology Service Chief		20. APPROVING AUTHORITY'S SIGNATURE PHILLIPS TIMOTHY M.103804146 7	21. DATE December 19, 2016

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TO: Clinical Research Division 59 MDW/CRD Contact 292-7141 for email instructions.	22. DATE RECEIVED December 22, 2016	23. ASSIGNED PROCESSING REQUEST FILE NUMBER 17023
24. DATE REVIEWED December 27, 2016		25. DATE FORWARDED TO 502 ISG/JAC
26. AUTHOR CONTACTED FOR RECOMMENDED OR NECESSARY CHANGES: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If yes, give date. _____ <input type="checkbox"/> N/A		
27. COMMENTS <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED Non-medical (legal) review of urology litigation, and presentation of results. Appropriate disclaimers provided, no COI noted		

28. PRINTED NAME, RANK/GRADE, TITLE OF REVIEWER Kevin Kupferer/GS13/Human Research Subject Protection Expert	29. REVIEWER SIGNATURE 	30. DATE December 27, 2016
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# **State and Federal Appellant Cases for Vasectomy: Case Review from 1995 to 2016**

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- The view(s) expressed herein are those of the author(s) and do not reflect the official policy or position of San Antonio Military Medical Center, the U.S. Air Force Medical Service, the U.S. Air Force Office of the Surgeon General, the Department of the Air Force or Army, Department of Defense or the U.S. Government.

# Background

- Most common non-diagnostic urologic procedure that are performed by both urologists and non-urologists
- Vasectomy is a source of medical malpractice litigation
- Literature on types and outcomes of this litigation is lacking
- Aim: evaluate the incidence, cause, and outcomes of lawsuits filed following vasectomy

# Methods

- LexisNexis national legal database of state and federal level appellate cases
  - Queried all cases with terms “vasectomy” and “medical malpractice” from January 1995–January 2016
  - Included: patients >18 year old, ≥1 physician as defendant

# Results

**Table 1. Demographics**

Number of cases identified	21
Urologist identified in litigation	8 (38.1%)

**Table 2. Outcomes**

Defendant 13 cases cited multiple reasons for litigation	13 (61.9%)
Plaintiff 8 cases cited multiple reasons for litigation	8 (38.1%)

# Results

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Table 3. State verdict according to reason for litigation

Reason	Plaintiff	Defendant
Informed consent	3	3
Loss of testicle	3	3
Post op complications	3	3
Pregnancy	2	4
Reoperation	0	2
Unknown	1	0

# Conclusion

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- First review of medical malpractice from vasectomy
- Majority of claims were made after pregnancy, loss of testicle, or post op complications
- Majority of state appellant cases favor the defendant
- All cases involving reoperation favored defendant
- Majority of cases involving pregnancy favored defendant
- Majority of cases involving a known urologist resulted favored defendant
- Numbers too small for statistical conclusions
- Study limited by information available in legal database